

# PRIVACY POLICY

**RATIONALE:**

In its role as a good employer, the Board of Trustees is required to ensure that a safe environment is provided through personnel practices which maintain proper standards of integrity and conduct (Good Employer Policy 1.2).

**PURPOSE:**

1. To promote and protect individual privacy.

**PROCEDURES:**

- 1.1 Two Privacy Officers will be appointed by the school, one from the teaching staff and one from the non-teaching staff.
- 1.2 The Privacy Officers appointed will, promote and protect individual privacy with regard to:
  - (a) the collection, use and disclosure of information relating to individuals
  - (b) access by each individual to information relating to that individual, held by the school
- 1.3 Procedures within the school must comply with the principles contained in the Privacy Act 1993, which have specific requirements in terms of:
  - Purpose of collection of personal information
  - Source of personal information
  - Collection of information from subject
  - Manner of collection of personal information
  - Storage and security of personal information
  - Access to personal information
  - Correction of personal information
  - Accuracy of personal information
  - School is not to keep personal information for longer than necessary
  - Limits on use of personal information
  - Limit on disclosure of personal information
  - Unique identifiers
- 1.4 The school's responsibilities are for:
  - (a) Collection of Information
    - Only collect necessary information
    - Collect accurate information
  - (b) Storage of Information
    - Hold the information securely to avoid loss or unauthorised use
    - Hold information only for as long as necessary
    - Not attach unique identifiers to an individual unless absolutely necessary
  - (c) Use of Information
    - Use information only for the purpose it was collected and not give the information to third parties
    - Make the information accessible to the individual concerned with the potential for correction

- 1.5 All forms which collect personal information should contain information about the purpose, use and disclosure of the information collected. Examples of the types of forms that this will relate to are applications for appointment, student record cards, enrolment information, information about employees and information about pupils and parents.
- 1.6 Privacy Officers are to use the 'Privacy Officer Checklist' to assist them in determining where policies and procedures are needed and which current policies and procedures should be applied. Recommendations may be made by the Privacy Officer to the Board of Trustees for alterations to current policies within the school.

For more details see other information 'Privacy Officer Checklist' and 'Application of Information Privacy Principles to Schools'.

**RELEVANT POLICIES:** Reporting Policy, Enrolment Policy

**REVIEW:** These guidelines will be reviewed according to the BOT's triennial programme of self review (2012)

**DATE CONFIRMED:** June 2009

## Privacy Officer Responsibilities and Checklist

### 1. The Privacy Officer

The Privacy Act 1993 requires the schools to appoint at least one privacy officer. The privacy officer's duties include the encouragement and ensurance of compliance with the principles of the Act, the handling of information requests and the giving of assistance to the Privacy Commissioner in investigations under the Act.

### 2. Privacy Officer Responsibilities

The Privacy Officer responsibilities are to carry out the following:

- An audit of personal information held by the school about employees and pupils to ensure it is information necessary to the agency (IPP 2), secure (IPP 5), accurate (IPP 8) and is not held for longer than necessary (IPP 9).
- An audit of forms used for the collection of information to make sure the forms explain the purpose for which information is collected, who has access to the information, where the information will be stored and an individual's right to correct the information held (IPP 3).
- Create a policy or checklist to deal with information requests.

### 3. The Privacy Act has direct relevance to the following areas, but not limited to, within the school:

- (a) Student Enrolment information
- (b) Student Reports
- (c) Information about employees
- (d) Information about pupils and parents
- (e) Student References
- (f) Disciplinary Action
- (g) Transfer of records between schools
- (h) Counsellors and Volunteers
- (i) Disclosure of information to the police or social agencies

### 4. Privacy Officer Checklist for Providing Information

The following procedure / checklist is to be adopted:

*Step 1:* Receive request for personal information.

*Step 2:* Establish which IPP's are relevant. (is it an individual making a request under IPP 6 or is it a third party making a request to which IPP 11 applies?)

*Step 3:* Check identity of individual making request. If an agent of the individual then check that the agent is authorised to act.

- Step 4:* Identify exactly what information is being requested. (If it is a reason for a decision, it should be considered a request under the Official Information Act.)
- Step 5:* Establish the information is held.
- Step 6:* Is the request urgent? The applicant must give reasons for urgency.
- Step 7:* Decide to provide information or not within 20 working days of request. The time limit can be extended by giving notice to the individual stating the period of the extension, the reasons for the extension, and the right of the individual to complain to the Privacy Commissioner.
- Step 8:* Do you want to charge for the information? If a public school then the permission of the Privacy Commissioner is needed.
- Step 9:* Any grounds for refusal to disclose (for example, evaluative material)? If so give reasons for refusal.
- Step 10:* Provide information to individual.